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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/760,253

01/21/2004

Kia Silverbrook

MPA15US

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

MARTIN, LAURA E

ART UNIT

PAPER NUMBER

2853

MAIL DATE

DELIVERY MODE

08/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/760,253 | Applicant(s) SILVERBROOK ET AL. | |
| | Examiner LAURA E. MARTIN | Art Unit 2853 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/5/08 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (6439908) in view of Silverbrook (US 20020180834).

Silverbrook et al. (908) disclose the following claim limitations:

As per claim 1: a printhead assembly (figure 2, element 10) comprising: a casing (figure 11, element 46) having a channel formed by a top wall and sidewalls of the casing (figure 7, elements 11 and 30) at least one printhead module (figure 5, element 18) comprising at least two printhead integrated circuits, each of which has nozzles

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formed therein for delivering printing fluid onto a first surface of print media and a nozzle guard partially covering the nozzles (column 3, lines 26-30), and a support member (figures 5 and 7, element 42) supporting and carrying the printing fluid for the at least two printhead integrated circuits, the support member of the printhead module being received in the channel of the casing (figures 7 and 11); and a print media guide for printing without making direct contact with the printhead integrated circuits (column 3, lines 6-10).

As per claim 2: a print media guide is arranged to substantially prevent the print media from impinging on the nozzles of each of the at least two printhead integrated circuits.

As per claim 3: the print media guide is arranged to provide a gap between the nozzles of each of the at least two printhead integrated circuits and the passing print media.

As per claim 4: a printhead assembly (10) wherein: the at least one printhead module (figure 2, element 12) is formed as a unitary arrangement of the at least two printhead integrated circuits (figure 2, element 18), the support member (figure 2, element 28), at least one fluid distribution member mounting the at least two printhead integrated circuits to the support member (figure 7, element 30), and an electrical connector for connecting electrical signals to the at least two printhead integrated circuit chips; the support member has at least one longitudinally extending channel (figure 8, element 72) for carrying the printing fluid for the printhead integrated circuits and includes a plurality of apertures (figure 8, element 72) extending through a wall of the

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support member arranged so as to direct the printing fluid from the at least one channel to associated nozzles in both, or if more than two, all of the printhead integrated circuits by way of respective ones of the fluid distribution members (column 4, lines 41-44).

Silverbrook et al. do not disclose the following claim limitations:

As per claim 1: a casing in which the at least one printhead module is removably mounted a print media guide mounted to a slanted portion of the casing immediately adjacent the channel, a slanted print media contact surface of the print media guide arranged to contact and guide the print media across the nozzles of the printhead module for printing onto the first surface.

As per claim 2: a print media guide is arranged to substantially prevent the print media from impinging on the nozzles of each of the at least two printhead integrated circuits.

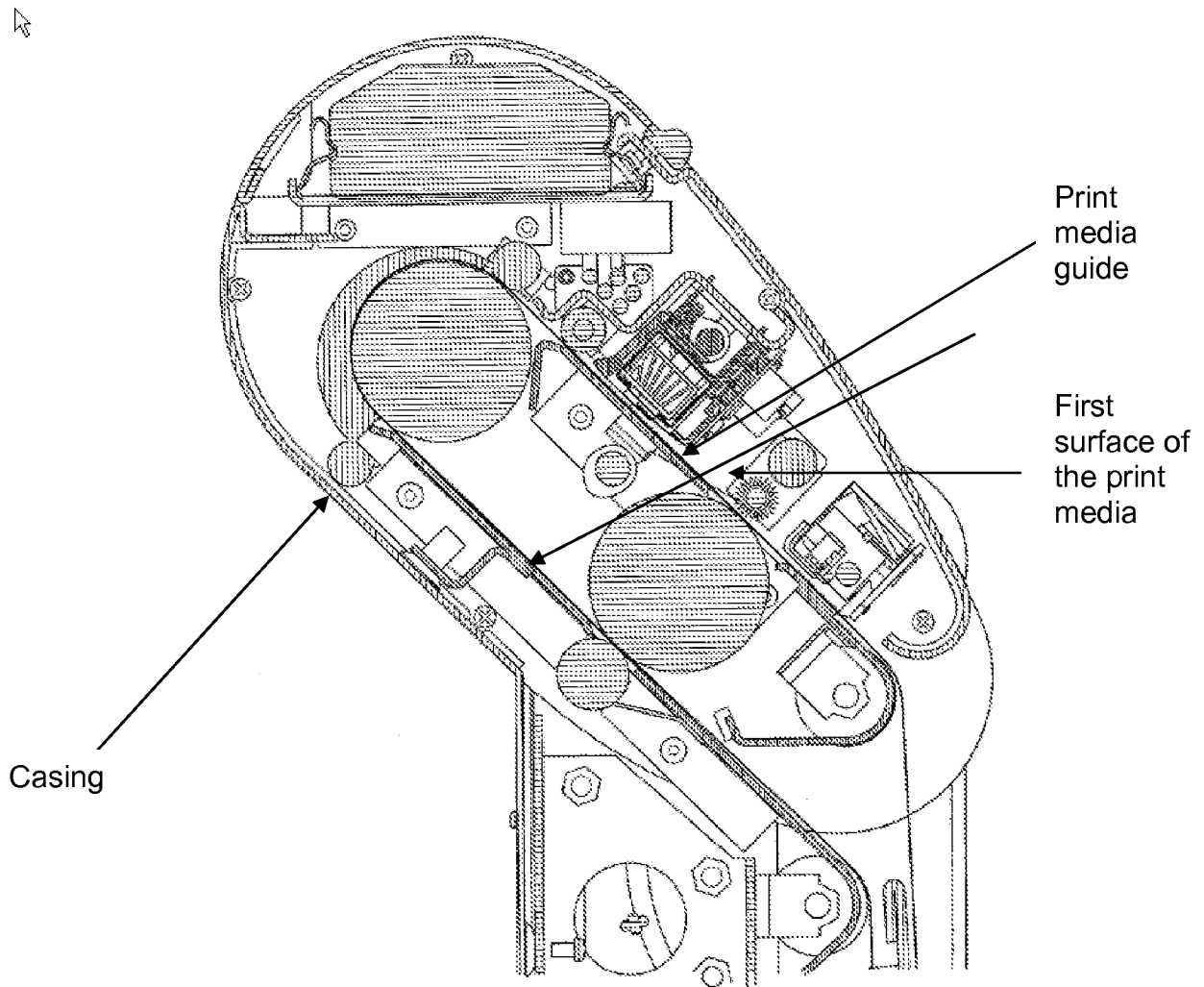
As per claim 3: the print media guide is arranged to provide a gap between the nozzles of each of the at least two printhead integrated circuits and the passing print media.

Silverbrook (834) discloses the following claim limitations:

As per claim 1: a casing in which the at least one printhead module is removably mounted a print media guide mounted to a slanted portion of the casing immediately adjacent the channel, a slanted print media contact surface of the print media guide arranged to contact and guide the print media across the nozzles of the printhead module for printing onto the first surface (shown below).

As per claim 2: a print media guide is arranged to substantially prevent the print media from impinging on the nozzles of each of the at least two printhead integrated circuits (see figure below – media guide and rollers put pressure on paper so that it rests against the media guide and not the nozzle area).

As per claim 3: the print media guide is arranged to provide a gap between the nozzles of each of the at least two printhead integrated circuits and the passing print media (see figure below – media guide and rollers put pressure on paper so that it rests against the media guide and not the nozzle area).



It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Silverbrook et al. with that of Silverbrook (834) in order to improve image quality and consistency.

Response to Arguments

Applicant's arguments filed 6/5/08 have been fully considered but they are not persuasive. Applicant argues that the amended claims are not taught by the cited references; however the examiner disagrees. The examiners reading of the claims upon the prior art is disclosed in the rejection above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura E. Martin

/L. E. M./
Examiner, Art Unit 2853

/Manish S. Shah/
Primary Examiner, Art Unit 2853